United Nations

# Report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council

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[14 September 2007]

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# Chapter I
# Introduction

1. In its resolution 48/26 of 3 December 1993, the General Assembly decided to establish an open-ended working group to consider all aspects of the question of increase in the membership of the Security Council and other matters related to the Council.

2. The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council began its deliberations in January 1994. The Working Group submitted progress reports to the General Assembly at its forty-eighth to sixtieth sessions. At those sessions, the Assembly extended the mandate of the Working Group.

3. On 23 November 1998, the General Assembly adopted resolution 53/30 in connection with the agenda item of the Working Group entitled "Majority required for taking decisions on Security Council reform".

4. In the United Nations Millennium Declaration, Heads of State and Government resolved, in respect of ongoing deliberations on Security Council reform, to intensify their efforts to achieve comprehensive reform of the Council in all its aspects (see General Assembly resolution 55/2, annex, para. 30).

5. In the 2005 World Summit Outcome of 16 September 2005, Heads of State and Government expressed support for early reform of the Security Council and recommended that the Security Council continue to adapt its working methods (see General Assembly resolution 60/1, paras. 153 and 154).

6. Following the deliberations of the Working Group, the General Assembly, in its decision 60/568, decided that the Working Group should continue its work and should submit a report to the Assembly before the end of the sixty-first session, including any agreed recommendations. The present report is submitted pursuant to that decision.

# Chapter II
## Sixty-first session of the General Assembly

7. The issue of the reform of the Security Council continues to be among those issues addressed at the annual general debate of the General Assembly. Many Heads of State and Government and other high-level representatives of Member States expressed the views of their Governments on the issue during the general debate of the sixty-first session of the General Assembly, held from 19 to 27 September 2006.

8. Member States also expressed their views on the reform of the Security Council when the General Assembly discussed the item entitled "Question of equitable representation on and increase in the membership of the Security Council and related matters" (item 111) on 11 and 12 December 2006 (see A/61/PV.72-75).

# Chapter III

# Proceedings of the Open-ended Working Group during the sixty-first session of the General Assembly

## A. Organizational matters

9. The President of the General Assembly, Haya Rashed Al Khalifa (Bahrain), served as Chairperson of the Working Group.

10. Ambassador Heraldo Muñoz (Chile), Ambassador Mirjana Mladineo (Croatia), Ambassador Andreas D. Mavroyiannis (Cyprus), Ambassador Frank Majoor (Netherlands) and Ambassador Ali Hachani (Tunisia) were appointed as facilitators by the Chairperson, on 8 February 2007, to interact with all Member States and to report back to her on the outcome of their consultations by the end of March 2007.

11. Later in the process, the Chairperson also appointed Ambassador Heraldo Muñoz (Chile) and Ambassador Christian Wenaweser (Liechtenstein) to carry the consultation process forward on the basis of the report of the facilitators.

12. The above-mentioned ambassadors chaired a number of informal meetings and conducted informal consultations with individual and groups of countries.

## B. Meetings, informal meetings and consultations of the Working Group

13. At its 1st meeting, on 8 February 2007, the Chairperson announced the appointment of the facilitators and held a general exchange of views.

14. At the same meeting, the Chairperson proposed the following five themes for discussion by the Working Group: "Size of an enlarged Security Council"; "Categories of membership"; "Question of regional representation"; "Question of the veto"; and "Working methods of the Security Council and the relationship between the Security Council and the General Assembly".

15. During the sixty-first session of the General Assembly, the facilitators conducted extensive informal consultations with various individual delegations and groups of delegations. They also convened a number of informal meetings of the Working Group.

16. From 20 to 23 February 2007, the facilitators separately chaired six informal meetings at which the five themes proposed by the Chairperson were discussed. The facilitators also jointly convened an informal interactive panel discussion on all five themes, on 13 March. The report of the facilitators on the discussions at the informal meetings and the succeeding informal consultations was submitted to the Chairperson on 19 April 2007 and circulated to all Member States on 20 April 2007 (see annex II).

17. At its 7th and 8th informal meetings, on 3 and 4 May 2007, the Working Group discussed the report of the facilitators.

18. At its 9th and 10th informal meetings, on 19 July 2007, the Working Group discussed a follow-up report submitted to the Chairperson and circulated to all Member States on 26 June 2007 (see annex IV).

19. At its 2nd to 4th meetings, on 12 to 14 September 2007, the Working Group considered its draft report to the General Assembly (A/AC.247/2007/L.1) submitted by the Chairperson.

## C. Adoption of the report of the Working Group

20. At its 4th meeting, on 14 September 2007, the Working Group considered the present report.

# Chapter IV
## Recommendations

21. At its 4th meeting, on 14 September 2007, the Working Group concluded its work for the sixty-first session of the General Assembly. The Working Group decided to recommend that consideration of the item be continued at the sixty-second session of the Assembly, building upon the work done during previous sessions and with a view to facilitating the process of reaching general agreement, bearing in mind the need to achieve progress on Security Council reform as an integral part of the ongoing United Nations reform process. To that end, the Working Group recommends to the Assembly the adoption of the following draft decision:

> "The General Assembly, recalling its previous resolutions and decisions relevant to the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council, having considered the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council, which was established pursuant to its resolution 48/26 of 3 December 1993, on its deliberations during the sixty-first session of the General Assembly,[1] bearing in mind the United Nations Millennium Declaration of 8 September 2000, adopted by Heads of State and Government,[2] in which they resolved, in respect of reform of the Security Council, to intensify their efforts to achieve a comprehensive reform of the Security Council in all its aspects, and recalling the 2005 World Summit Outcome of 16 September 2005,[3] in which Heads of State and Government expressed support for early reform of the Council and recommended that the Council continue to adapt its working methods:
>
> "(a) Takes note of the report of the Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council on its work during the sixty-first session of the General Assembly;[1]
>
> "(b) Notes with appreciation the Chairperson's initiative to stimulate an active discussion relating to the comprehensive reform of the Security Council by the Working Group;
>
> "(c) Urges the Working Group to exert efforts during the sixty-second session, aimed at achieving general agreement among Member States in the consideration of all issues relevant to the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council;
>
> "(d) Decides that the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council should be considered during the sixty-second session of the General Assembly so that further concrete results may be achieved, including through intergovernmental negotiations, building on the progress

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[1] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 47* (A/61/47).

[2] See resolution 55/2.

[3] See resolution 60/1.

achieved so far, particularly at the sixty-first session, as well as the positions of and proposals made by Member States;

"(e) Also decides that the Working Group should continue its work, taking into account the progress achieved during the forty-eighth to sixty-first sessions of the General Assembly and drawing on the experience of the sixty-first session, as well as the views to be expressed during the sixty-second session, and also taking into consideration the discussion on the process of implementation of the 2005 World Summit Outcome;

"(f) Further decides that the Working Group should submit a report to the General Assembly before the end of its sixty-second session, including any agreed recommendations."

# Annex I

## Letter dated 20 April 2007 from the President of the General Assembly to all Permanent Missions and Permanent Observer Missions to the United Nations regarding the report of the facilitators on the consultations regarding the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council

I have the honour to transmit to you, herewith, the report of the facilitators on the consultations regarding the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council (see annex II).

These consultations represented a genuine attempt to assess the state of affairs concerning the long-standing issue of Security Council reform. The outcome of these consultations should help to maintain the momentum on Security Council reform in order to reach the broadest possible agreement on this important matter. The report contains a section entitled "Notions on the way forward", which outlines a number of possible scenarios that Member States could take into account during forthcoming consultations.

The report emphasizes that Security Council reform is an integral part of the United Nations reform process; that maintaining the status quo is not acceptable; and that flexibility by all Member States is key in order to achieve tangible results. Moreover, the report stresses the need to enhance Member States' access to the Council, both in terms of increasing their chances to serve as members and, while not members, to increase their involvement in the Council's work. The report also underlines that enlargement should address the underrepresentation of developing countries as well as small States. It further highlights that enlargement and working methods are intertwined and need to be dealt with in a comprehensive manner; and that under any scenario continued efforts should be made to improve the working methods of the Security Council.

In view of the current status of the reform process, the report invites Member States to explore new and emerging ideas as a means to move forward through a results-oriented process over which Member States should have collective ownership.

Against this backdrop, I share the facilitators' view that there is a path forward that Member States can build on taking advantage of the current momentum. I therefore invite you to give particular attention to the section "Notions on the way forward" in order to have a focused and productive discussion.

I would like to take this opportunity to express my sincerest appreciation and gratitude to the facilitators, Ali Hachani, the Permanent Representative of Tunisia; Andreas D. Mavroyiannis, the Permanent Representative of Cyprus; Mirjana Mladineo, the Permanent Representative of Croatia; Heraldo Muñoz, the Permanent

**Representative of Chile; and Frank Majoor, the Permanent Representative of the Netherlands, for their dedication and for the skilful manner in which they have conducted these inclusive and transparent consultations on Security Council reform during the past three months.**

(*Signed*) Haya Rashed **Al Khalifa**

# Annex II

## Report of the facilitators on the consultations regarding the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council

## I. Introduction

The question of equitable representation on and increase in the membership of the Security Council was first introduced on the agenda of the United Nations in 1979, during the thirty-fourth session of the General Assembly. At its forty-eighth session the General Assembly adopted resolution 48/26, of 3 December 1993, by which it decided to establish the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council.

However, after more than a decade of intensive discussions on this important matter, both in the General Assembly and within the Open-ended Working Group, no concrete result has thus far been achieved.

At the 2005 World Summit, stressing the need to complete Security Council reform — as an essential element of our overall effort to reform the United Nations — Heads of State and Government expressed support for early reform of the Security Council, in order to make it more representative, efficient and transparent and to further enhance its effectiveness and the legitimacy of its decisions.

On 11 December 2006, in opening the plenary debate on Security Council reform, the President of the General Assembly stated that after many years of inconclusive debate the time had come to make a realistic assessment of the whole issue and to be prepared to look at this matter with a fresh and open mind, if the General Assembly were to make substantial progress.

Against this backdrop, in her letter dated 24 January 2007, the President of the General Assembly invited the membership to start consultations on five key issues, namely: categories of membership; the question of the veto; the question of regional representation; the size of an enlarged Security Council; and the working methods of the Security Council and the relationship between the Security Council and the General Assembly. Subsequently, on 8 February 2007, the President of the General Assembly appointed five facilitators in their individual capacity to assist her during the consultation process on the five above-mentioned issues: Mr. Ali Hachani, the Permanent Representative of Tunisia; Mr. Andreas D. Mavroyiannis, the Permanent Representative of Cyprus; Mrs. Mirjana Mladineo, the Permanent Representative of Croatia; Mr. Heraldo Muñoz, the Permanent Representative of Chile; and Mr. Frank Majoor, the Permanent Representative of the Netherlands.

The President of the General Assembly mandated the five facilitators to conduct open, transparent and inclusive consultations, with a view to making the most accurate possible assessment on the state of play on Security Council reform, for the purpose of establishing the appropriate process that would enable the General Assembly to fulfil the challenging task of reforming the Council.

Furthermore, the President requested the five facilitators to prepare a consolidated report on the result of their work, in order to allow the membership to have an informed follow-up discussion on the way forward.

From 20 to 23 February 2007, the facilitators held a series of six informal meetings. The facilitators also convened an informal interactive panel discussion on 13 March 2007. These informal meetings, which took place in the framework of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council, provided the Member States with opportunities to have a comprehensive discussion on all related aspects of the reform of the Council while focussing on each of the five aforementioned main issues identified by the President of the General Assembly.

In addition, the five facilitators conducted, separately and jointly, wide-ranging consultations and met with individual States and various groups of States. These contacts also allowed them to interact with delegations that did not participate in the open-ended informal meetings and thus to take the fullest possible account of the views of all Member States.

The purpose of the present report is to provide the President of the General Assembly with the outcome of the consultations the facilitators carried out over the past three months. The report includes a descriptive appendix, which gives an account and assessment of the views expressed by Member States on the different issues under consideration, and a more analytical part providing a number of notions on the way to move the process forward. The appendix chiefly contains the evaluations of each facilitator responsible for his/her respective theme. The section "Notions on the way forward" reflects the common views of the facilitators. The facilitators hope that Member States will, in the next stage of the process, give special attention to the "Notions on the way forward" presented in this report.

## II. Notions on the way forward

As stated above, the facilitators, guided by the President of the General Assembly, undertook an inclusive process of consultations to elicit an accurate reflection of the positions and suggestions of the membership on the main questions regarding Security Council reform. Based on those consultations and on the assessments contained in the appendix to the present report, the set of notions of reform presented below may serve as a framework for results-oriented negotiations, a process over which Member States should have collective ownership.

The objective of the facilitators was to map out what seems most feasible at this stage, so that Member States themselves might proceed to work out all possible configurations guided by the notions identified below as prospective ways of moving forward.

1. Security Council enlargement is an integral part of the United Nations reform process. Member States consider that the United Nations reform would be incomplete without meaningful Security Council reform. Maintaining the status quo is not acceptable to an overwhelming majority of Member States that feel that the current situation should be improved.

2. Flexibility is key in order to move forward on Security Council reform; but flexibility must be effectively shown and shared by all concerned. A significant number of Member States tend to agree that an ideal solution may not be possible at this stage and believe that it may be more reasonable to consider the best possible substantial solution for now.

3. The positions of the major interest groups, well known to the membership for some time, are not likely to be fully realized at this stage. It was encouraging that, in order to move forward with the process, and despite the reiteration of initial positions, flexibility was displayed in the form of willingness to explore a viable compromise solution.

4. The General Assembly should choose a Security Council reform formula that can garner the widest possible political acceptance by the membership, and in any case well above the required majority in the General Assembly, including the acquiescence by the current permanent members of the Council, bearing in mind the ratification process of any amendment to the Charter of the United Nations as stipulated in its Article 108.

5. Any achievable solution must address the concerns of the wide majority of States Members of the United Nations aimed at enhancing their access, both in terms of increasing their chances to serve as members of the Security Council and by being more intensively involved with its work while not members. The second element was a particular source of concern for small States and for those which have an item inscribed on the Council's agenda.

6. Enlargement and working methods need to be dealt with in a comprehensive manner. They are closely linked and reform will be incomplete without either one. However, in any scenario, continued efforts should be made to improve the working methods.

7. Expansion needs to be based both on the contribution of Member States to the maintenance of international peace and security and to the other purposes of the United Nations as well as equitable geographical distribution, as stipulated in the Charter. Maintaining the current regional groups, any enlargement should address the underrepresentation of developing countries as well as small States. The wide diversity in the membership of the Organization might be taken into account.

8. Under the present state of affairs, Member States, while retaining their initial positions, may wish to explore new and emerging ideas concerning a transitional approach to Security Council reform. A transitional approach assumes an intermediary arrangement and should have as an integral component a mandatory review to take place at a predetermined date. Within the transitional approach there are different options and variations that Member States may wish to further explore. The negotiable elements include the content and duration of the intermediary arrangement and the nature of the review. Issues on which Member States will not agree in the negotiations would have to be deferred to the review. Consequently, at this stage, none of the stakeholders have to give up their original positions.

9. As regards categories, the transitional approach, without prejudice to the prospect of creating new permanent seats, could explore the creation of new non-permanent seats as well as an intermediate category. Member States may wish to consider, inter alia, the following variations on an intermediate category:

- Extended seats that could be allocated for the full duration of the intermediary arrangement, including the possibility of recall.

- Extended seats, which would be for a longer period than the regular two-year term, but with the possibility of re-election. The length of the terms as well as the re-election modalities should be decided in negotiations.

- Extended seats, which would be for a longer period than the regular two-year term, but without the possibility of re-election. The length of the term should be decided in the negotiations.

- Non-permanent two-year seats with the possibility of immediate re-election.

10. Regarding the veto, some Member States favour and some oppose its elimination; some demand and some oppose its extension. Therefore, as a definitive solution might not be feasible at this stage, Member States may wish to address this question within the framework of the review. In the meantime, Member States may wish to consider forms of limitation in the use of the veto. These might include, among others:

- Ways of enhancing accountability for the use of the veto.

- Limitations of the scope of application of the veto.

- Individual or collective pledges to refrain from its use in certain instances.

11. Regarding regional representation, in the sense of Member States representing regional views, the notion of accountability, both in the election process and while serving in the Council, might be explored. To take this aspect into account, the following ideas could be considered:

- Future candidatures to the Security Council could be proposed directly by Member States or through regional consensus, it being understood that the final decision is to be taken by the General Assembly through the election process as set out in the Charter.

- Elected members of the Council should be deemed, if they so wish, to also represent, through internal arrangements, the views of the groups to which they belong while continuing to act in accordance with the purposes and principles of the United Nations.

12. As regards the question of the expansion of the size of the Security Council, Member States may decide to consider the following options:

- A limited expansion, believed to be supported by those Member States particularly concerned about the efficiency of the Council.

- A large expansion, believed to be supported by those Member States particularly concerned about the Council's representativity.

- A medium-size expansion that could reconcile the concerns of those who argue for an efficient Council with the views of those who underscore its representativity.

- A limited expansion in a first stage and a further expansion in the framework of the review.

13. Any reform scenario should enhance access for non-Security Council members by improving the working methods of the Council. Since any enlargement

will only modestly improve the chances of individual Member States to become a member of the Council, better access for non-Council members is deemed an essential and integral part of a reform package. At the same time, improvement of the working methods can be seen as a continuous, dynamic process. At this stage, Member States may wish to consider the following options:

- Establishment of a mechanism ensuring that Member States whose interests are specially affected will be heard upon request in private meetings of the Council (more vigorous implementation of Articles 31 and 32 of the Charter) and expansion of consultation and cooperation with regional organizations and countries in the region, not only in thematic, public meetings, but also in private meetings.
- Creation of additional opportunities for non-Council members whose interests are specially affected to be heard in the work of the subsidiary bodies; in case of resolutions that call into being far-reaching obligations of Member States, an extended consultation process could be established.
- Implementation of consistent consultations with potential troop-contributing countries in the early phase of a new operation, and regular substantive meetings during ongoing operations; troop-contributing countries and, as appropriate, host countries to be invited to private meetings of the Security Council at which the mandate of a peacekeeping operation is discussed.
- Increase in the transparency of the Council's work by: encouraging formal adoption of rules of procedure, stimulating thematic reports by the Council for discussion in the General Assembly and ensuring regular consultations between the Presidents of the principal organs on the implementation of the respective mandates, in accordance with the Charter.

# III. Conclusions

The present report represents the honest evaluation of the facilitators of the state of affairs on Security Council reform. It reflects months of extensive and inclusive consultations, at which the facilitators carefully listened to the views and concerns of Member States. The facilitators have tried to make a fair assessment, as contained in the appendix, of the different aspects related to the reform.

On the basis of the consultations and the assessment, the facilitators have prepared the above notions that Member States might want to further discuss in order to explore feasible solutions for the way forward, aimed at facilitating tangible progress on a key and integral component of United Nations reform. As such, an attempt has been made to identify new and emerging ideas that might be worth exploring. At the same time, as stressed before, the facilitators underline that Member States may wish to pursue other options. The options identified here are not necessarily exhaustive.

The facilitators trust that their report will contribute to productive further discussions in which Security Council reform can be brought to a next stage. This could include an agreement on a negotiating process that is conducive to timely decision-making. The facilitators believe that there is a path forward that Member States could build on towards meaningful negotiations, taking advantage of the current momentum. The reform process ahead needs to continue to be all-inclusive and transparent.

# Appendix

## Assessments on clusters

### Categories of membership

The issue of categories of membership proved to be one of the key issues in the entire process. One of the main purposes of the facilitation was to explore whether innovative ideas heard during consultations could help to reconcile existing positions, with a view of advancing the process. The following views were expressed during consultations:

- A large group of States continued to call for the enlargement of the Security Council in both categories of membership (permanent and non-permanent seats).
- A group of States, while defending an enlargement of the Security Council in both categories, is proposing that any new permanent seats holders enjoy all prerogatives of permanent members, including the veto right in the event that it is maintained.
- Another group of States reiterated its position of seeking the creation of a category of membership that is of a permanent character but, at least initially, without exercising the veto. Addition of new non-permanent seats is also proposed by this group.
- A group of States reiterated its position of accepting enlargement only in the category of non-permanent seats, while considering that no initial positions should be pre-empted for any future discussions of the issue. The creation of only non-permanent seats is also considered by a group of States as a possible fallback position in case no other satisfactory solution is found.
- Some Member States encouraged the exploration of a sort of an "interim" or "transitional solution" based on a longer-term renewability of seats. Likewise, other Member States expressed their readiness to explore a solution that would move the process ahead while enjoying broad acceptance.
- Some delegations, especially from small States, expressed the view that any solution should enhance their aspiration to serve on the Security Council.
- A large number of delegations expressed the view that in any expansion there is a need for ensuring a strengthened representation of developing countries and small States. A number of delegations stressed the need to take into account the wide cultural diversity within the international community.
- Some delegations expressed their wish to have the question of categories and the other issue-areas ascertained through a "questionnaire" addressed to Member States.
- The notion of accountability, both at the time of election (Article 23.2 of the Charter of the United Nations) and while serving in the Council (Article 24.2 of the Charter) has been addressed by delegations in relation with categories of membership:

- A group belonging to a specific region is of the view that that region would be responsible for the selection of its representative States in an enlarged Council, which would be accountable to it.

- Other Member States expressed the view that accountability could be ensured through a process of "challenge" within a review mechanism.

Signals of flexibility were shown during the consultations: despite the reiteration of initial positions, readiness for some flexibility was expressed by the main groups, especially on the question of permanency:

- Delegations defending permanency would accept to submit the status of any new permanent seats to challenge.

- Delegations contesting permanency would admit the possibility for a number of States to be members of the Council for a longer period of time than that initially envisaged in the Charter.

- Members of a group of States, although remaining firm in their initial positions, expressed readiness to refer any new proposed elements regarding Security Council reform to their highest political authorities at the earliest possible opportunity.

**The question of the veto**

Given the sui generis character of the veto, the extent of Member States' flexibility and the scope of possible veto reform were explored through extensive bilateral consultations with a cross-regional sample incorporating small, medium-sized and large States, States having items on the agenda of the Security Council and the States currently holding the veto. Member States addressed the issue on two levels: ideal and attainable reform. The veto was criticized on various grounds by a significant majority of Member States, many of which also relayed a perception that its elimination is not realistic at this stage. Trends regarding the veto included the restriction of its use, prevention of its extension, resignation from its reform at this stage and extension of it to all permanent members so long as it exists.

In terms of restricting the veto, suggestions included limiting the instances where it can be used (for example to exclude instances such as genocide, war crimes and crimes against humanity), establishing criteria for when and in which situations the veto can be used, formalizing explanations for the use of veto, limiting the scope of application of the veto (either restricting it to Chapter VII decisions or disallowing its use in Chapter VI decisions), restricting its use to only vital issues, barring the veto where a permanent member is a party to a conflict, changing its weight (for example requiring two negative votes to reject a draft resolution), overruling it and placing a cap on the total number of negative votes that can be cast by a permanent member.

Member States considered that extension of the veto presupposes agreement on the addition of new permanent members. Permanent members themselves did not rule out extending the veto, depending on the number of prospective new permanent members and which those would be. Their position ranged from offering qualified support to the draft resolution of the Group of Four (G-4) to being ready to add one or two new members to the group of five permanent members (P-5) and extending the veto to a representative from a region currently without it.

Among States in support of expansion in permanent and non-permanent members, three tendencies were identifiable: (a) the veto is a tool for inaction that does not contribute to the effectiveness of the Council and should not be extended to new permanent members; (b) extension of the veto, in principle, accompanied by a commitment not to use it until a future review; and (c) automatic extension of the veto to new permanent members. The second option gathered the most support, inter alia, because it was also expressed as a fallback position by many States supporting options one and three. For those supporting extension of the veto at this stage, the second option would provide future prospect to that end, while for those supporting non-extension of the veto the second option would satisfy their position now without pre-empting the eventual settlement of the issue.

The general perception of the permanent members regarding the veto, despite nuances regarding certain aspects of the issue, is that the veto is at the core and is the sustaining force of the system of collective security. It is considered to be inherently different from other elements discussed in the reform process as it is the result of a political understanding that pre-dates the Charter and thus could not be reformed by the wider membership. Its reform could only be governed by the same historical rationale that initially brought it into being as a tool of restricting the scope of the collective security system according to their major policy considerations.

Permanent members recognized that the wider membership had concerns regarding the veto but did not consider that it was misused; rather, they insisted that the veto is exercised with restraint. However, they did not exclude the prospect of finding ways among themselves to appease those concerns, including, for most of them, through: (a) a voluntary commitment in this respect; or (b) an oral understanding that permanent members would agree to a non-legally binding statement once the reform process has been agreed upon.

Despite nuances, permanent members alluded to the limits of what could be agreed vis-à-vis the veto. The abolition or modification of the veto would not be ratifiable through a Charter amendment. This includes legally binding regulation of the veto or General Assembly guidelines on how to exercise it. The involvement of the Assembly in matters falling within what permanent members consider to be exclusive competence of the Security Council is not amenable, nor is explanation of the use of veto before the Assembly (the P-5 consider that the two organs stand on an equal footing). Most permanent members based their acceptance of enlargement and other reform of the Council on preserving the essence of their veto power.

The limited span between what the current holders of the veto could accept and what the wider membership is seeking prompted Member States to contemplate the option of bypassing substantial veto reform at this stage while maintaining strong preference for the veto to be explicitly included on the agenda of a possible future review. The latter requires further exploration, as there does not seem to be across-the-board agreement on it. The assessment of the facilitators is that, although desirable for the majority of Member States, veto reform alone might not be the single factor that will seal or break the reform deal at this stage, provided that the rest of the reform package will be substantial.

States that have thus far insisted on new permanent members obtaining the same rights and privileges as the incumbents, including the veto, were frequently mentioned as key to the process of Security Council reform. Such States, when

consulted, reiterated their official collective position but appeared to be willing to consider alternatives on condition that those would be concrete and sufficiently attractive. While these States did not rule out the prospect of a provisional solution, it was quite clear that no definitive views could be provided by them on this level of consultation at this stage.

Member States which addressed the use of the veto as a source of non-action on the part of the United Nations expressed varying views on whether and how this could be remedied. The mechanism created through General Assembly resolution 377 (V) of 3 November 1950 was accepted as an alternative by some but deemed either ineffective and/or undesirable by others. No concrete suggestions were suggested on how the Assembly might exercise a subsidiary role in those instances where the primary responsibility of the Security Council for the maintenance of international peace and security is not exercised because of a veto. Member States did, however, stress that the Assembly should do more to fully exercise its competencies under Articles 10 to 12 of the Charter, including by examining matters of peace and security, and calling on the Council to take relevant action. This could exhort the Council to take action on a situation, provide the viewpoint of the wider membership to the Council on a particular issue and contain the veto through input that would deter its use. The awareness by the Council of the pronouncement of the Assembly on a certain issue would make it difficult for the Council to subsequently ignore the collective will of the international community and be silent on account of a veto.

In the above consultations it transpired that one pragmatic option concerning veto reform at this stage is the possibility of a pledge by the permanent members to exercise the veto with restraint. While this would not amount to a legally binding measure, some Member States have indicated that this would have an impact in practical terms. It was reasoned that indirect limitation/regulation of the veto and the influence of permanent members could be achieved to some degree through the cumulative impact of reform. It was also suggested that enlargement itself amounts to a de facto limitation of the power of the veto because permanent members will constitute less than 25 per cent of the Security Council and the responsibility to block action through veto will be substantially heavier. As the veto is viewed as synonymous with the influence, of the permanent five members, it is particularly pertinent to note that the enhanced presence and voting might of members other than the permanent five is believed by many to limit the influence of permanent members on decision-making, including decision-making that is exclusively power balance-driven. Lastly, it was suggested that the power stemming from possession of the veto (implicit veto) would diminish if the Council operated in a manner that allowed for less pressure to be exerted on non-permanent members.

**Question of regional representation**

There seemed to be a common understanding that the Security Council in its current composition does not reflect the geopolitical realities and thus needs to be adequately rebalanced:

- The majority of delegations were of the view that the rebalancing of the Security Council needs to be based on "the contribution to the maintenance of international peace and security and to the other purposes of the

Organization", as well as on *equitable geographical representation*, as stipulated in Article 23 of the Charter.

- Nevertheless, some delegations pointed out that additional objectives and measurable criteria had yet to be worked out to define the necessary capabilities of States relevant to the maintenance of international peace and security. Proposals included the level of financial contribution to the United Nations, population, regional role and standing, size of military forces and contributions to peacekeeping operations.

In the course of the discussion there seemed to be a twofold understanding of the term "regional representation":

- Some delegations identified the term "regional representation" as identical to the "equitable geographical distribution" as contained in Article 23.1 of the Charter.

- Other delegations expressed the view that the term "regional representation" should be understood as the regional seat leading to regional accountability. They argued that the notion of regional representation, in the sense of Member States representing regional views, could be explored further. Different options were suggested, such as candidatures to be proposed directly by Member States or through regional consensus, it being understood that the final decision is to be taken by the General Assembly through the election process as set out in the Charter. Another suggestion was that members of the Council should be deemed, if they so wish, to also represent the views of regional groups to which they belong while continuing to act in accordance with the purposes and principles of the United Nations.

- However, a wide number of delegations felt that, at this stage, the non-permanent members of the Security Council, although proposed on a regional basis, could not represent their respective regions. Rather, as members of the Council, they should have a global accountability and an obligation to the international community as a whole.

- In addition, many delegations were of the view that the concept of regional seats, given the different character of each regional group as well as the existing differences in their internal working procedures, was not feasible at this stage.

Although the composition of the existing regional groups was challenged as not accurately reflecting geopolitical realities, there seems to be a wide understanding that the restructuring of the current system is not realistic. The majority is thus still of the view that the principle of the equitable geographic distribution should be exercised through the existing structures. Nevertheless, opinions varied on how to amend the situation, in particular with respect to defining the underrepresented.

The discussion brought out several interpretations within the category of the underrepresented. Accordingly, the underrepresented were classified in the following manner:

- Within the existing group arrangements, there was a general feeling that Africa, Asia and the Group of Latin American and Caribbean States were

underrepresented. Some opined that the Group of Eastern European States was also underrepresented.

- There was also a broad understanding that small and developing countries are underrepresented as a general rule. In addition, some delegations pointed out that small and developing countries from Africa, Asia and the Group of Latin American and Caribbean States were underrepresented in particular.

- Some delegations were of the opinion that there was a need for an enlarged Security Council to represent all cultures, religions and civilizations. In that respect, although various political organizations were mentioned as candidates for a Council seat, the majority of delegations argued it would contradict the intergovernmental nature of the United Nations and therefore proposed that their legitimate concerns should be accommodated through other means.

Bearing in mind the inseparable links between the "regional representation" cluster and those of "Size" and "Categories of membership", it might prove to be very difficult to devise any workable solution prior to the agreement on the number of seats to be distributed. However, since it can be argued that the notions of contribution to the maintenance of international peace and security and equitable geographical distribution constitute the fundamental elements of any future fair and just solution, they should be taken into account as a general principle during deliberations as well as at the early stages of the eventual future negotiations on size and categories.

**Size of an enlarged Security Council**

During consultations, Member States agreed with an enlargement in the size of the Security Council. No Member State opposed expansion. Below, are some of the main opinions expressed by Member States in the consultations:

- The size of an enlarged Security Council cannot be judged in isolation from other conditioning issues, such as equitable regional representation and the categories of membership. Determining the size of an enlarged Council was guided, for example, by the aspirations of regions to be satisfied with their representation, rather than a theoretical number decided a priori.

- Opinions as to the size of an enlarged Security Council vary. Many Member States gave specific preferred numbers, while others expressed the view that they are open to suggestions, some of them provided that additional considerations are taken into account.

- Some Member States expressed that among the main criteria that ought to be considered in determining the size of an expanded Security Council are equitable geographical distribution, enhanced credibility, efficiency and effectiveness of the Council. A number of delegations added criteria such as the financial and diplomatic contributions to the United Nations and respect for democracy and human rights. Others preferred to adhere solely to the criteria enunciated in Article 23 (1) of the Charter, i.e. "due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution".

- The "efficiency" and "effectiveness" of an enlarged Security Council were considered by some delegations, in particular, but not only, permanent members of the Council, as paramount elements for a Council that is supposed to act swiftly in the face of crises. Other delegations argued that efficiency does not necessarily result from a reduced size and that efficiency (or efficacy) could ultimately improve by enlargement in more representative higher numbers.

- Some Member States lamented the current configuration of regional groups, as not representative of like-minded States, but agreed, as most members did, that it would not be advisable to revisit existing regional groups, notwithstanding the wish expressed by some that an expanded Security Council should consider seats for small States or States of particular cultures and civilizations.

- A significant number of Member States, both developed and developing, from different regions, believe that the size of an expanded Security Council should remedy the underrepresentation of developing countries, particularly from Africa, Asia, Latin America and the Caribbean.

- A number of delegations, while stressing that the Security Council should properly represent current world reality, expressed their desire to see an adequate correlation between the number of members in the Council and the membership of the General Assembly. They pointed out that the ratio between the Council and the general membership of the United Nations was 21 per cent in 1945 (a ratio of 1:5), 13 per cent in 1965 (a ratio of 1:8) and less than 8 per cent (a ratio of 1:13) at the present time.

- A limited expansion of seats has been advocated by Member States on grounds of efficiency and agility of the Security Council to confront crises. Other Member States favour a larger expansion of seats based on the representativity of the Council.

- In the view of some Member States, an increase in the number of seats, even if solely in the non-permanent category, would entail a rebalancing of the power structure within the Security Council. More members would require new higher proportions of votes to approve resolutions, as the weight percentage of permanent members would decline.

- While some Member States addressed the question of size from the perspective of a one-time expansion, some Member States felt that a review conference should revisit the issue of size in the context of a transitional approach.

- Despite the fact that views on the exact size of an expanded Security Council differ among Member States, they do not seem irreconcilable.

**Working methods of the Security Council and the relationship between the Security Council and the General Assembly**

A wide majority of Member States felt that the working methods are an essential and integral part of Security Council reform. Some Member States were of the opinion that expansion and working methods should not be seen as inseparable. They argued that reform of the working methods, which would not require a Charter amendment, should be seen as a continuous process. Ultimately, a widely shared conclusion was that the working methods should be part of any reform package. If

agreement on a package should prove not to be attainable, efforts to reform the working methods could and, in the eyes of many, should still be continued:

- Some Member States offered another perspective on the relationship between the working methods and expansion of the Security Council. Many (smaller) Member States serve relatively sporadically on the Council, and would do so even in the event that there is an expansion. For those Member States, improved working methods, and thus better access as non-Council members to the work of the Council, is of essential importance.

- Member States alluded to the relationship of the Security Council to the General Assembly. Most Member States put this issue in the context of the so-called encroachment of the Council on the Assembly. It was argued that this had much to do with the broadening definition of "security". Working with this broad definition, the Council was increasingly discussing subjects that would, arguably, fall under the competence of the Assembly. Most however felt that it was difficult to address this issue in the context of Security Council reform.

- As to the substance of the working methods, many Member States welcomed several initiatives that have recently been taken, such as the draft resolution by Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland (S-5) and the recent note by the President of the Security Council on working methods (S/2006/507). Many Member States saw as the central aim of improved working methods to ensure better access for non-Council members to the work of the Council. The access seemed to have distinct components: information, consultation and cooperation.

- With regard to access through information, Member States felt that timely and substantive information on the work of the Security Council would lead to more transparency. This would not only enable them to better follow the proceedings, but would also allow Member States to informally exert influence on the decision-making process. Concrete suggestions that were made by Member States included:

    - Better notification to all Member States of all Council meetings, including unscheduled meetings, and early distribution of draft resolutions.

    - More frequent briefings by the President of the Security Council and by the chairmen of the subsidiary bodies. Distribution to all Member States of reports of the meetings of the subsidiary bodies.

    - Institutionalized periodic review of the implementation of Council mandates and decisions.

- On better access through consultations, Member States indicated an interest to have direct, real access to the Security Council in cases where their interests were specially affected and, in particular, when they have an item on the agenda (both in open and private meetings). It was widely felt that this would increase the legitimacy of the Council's decisions without necessarily infringing on the prerogatives of the Council. The following suggestions were made:

- A mechanism should be established to ensure that Member States whose interests are specially affected will be heard upon request at private meetings of the Council, as well as in the work of the subsidiary bodies.
- Consistent consultations with potential troop-contributing countries in the early phase of a new operation, with the participation of the host country, where appropriate, and regular substantive meetings during ongoing operations.

• As already stated, it was also argued that better access could be achieved by means of expanding on the mechanisms for interaction between United Nations bodies, most notably between the Security Council and General Assembly. The following suggestions were made:

- The Security Council should issue special subject-oriented reports (Article 24.3 of the Charter) for discussion in the General Assembly. This could include reports on the understanding of the mandate of the Council, for example what is the definition of "international peace and security".
- In addition to increased cooperation between the Security Council and the General Assembly, a regularized, substantive dialogue should also be established with the Economic and Social Council, the Human Rights Council and the Peacebuilding Commission (also on the implementation of the respective mandates).

As stated before, most Member States felt that measures described above should be part of a reform package that would eventually be voted on in the General Assembly. By and large, the permanent members indicated that they supported some level of reform of the working methods. Some of them stated that these measures should be adopted by the Security Council itself, and could not be "imposed" by the Assembly. This is a matter that would require further consultation.

# Annex III

## Letter dated 26 June 2007 from the President of the General Assembly to all Permanent Missions and Permanent Observer Missions to the United Nations regarding the report of the Permanent Representative of Chile and the Permanent Representative of Liechtenstein on the consultations on Security Council reform

I have the honour to transmit to you, herewith, the report submitted to me by Ambassador Heraldo Muñoz, the Permanent Representative of Chile, and Ambassador Christian Wenaweser, the Permanent Representative of Liechtenstein (see annex IV), pursuant to the mandate I gave them in my letter of 22 May 2007, requesting them to conduct consultations with the membership, on the basis of the report of the five facilitators of 19 April 2007 (annex II), on how to move the Security Council reform process forward in formats they may deem useful and to report back to me on the outcome of those consultations before the end of June 2007.

I wish to thank Ambassador Muñoz and Ambassador Wenaweser for the dedicated and competent manner in which they have conducted this new phase of consultations on Security Council reform, in accordance with the mandate I gave them.

I am also grateful to Ambassador Ali Hachani, the Permanent Representative of Tunisia; Ambassador Andreas D. Mavroyiannis, the Permanent Representative of Cyprus; Ambassador Mirjana Mladineo, the Permanent Representative of Croatia; and Ambassador Frank Majoor, the Permanent Representative of the Netherlands, who have continued to advise me on Security Council reform.

I welcome this report, which is intended to assist Member States in their further consideration of an intermediary approach, if they so choose. I agree that the decision whether to further pursue this approach lies with the Member States. I wish to underline that the report is complementary to the report of the five facilitators of 19 April 2007 and that the two documents should be read together.

The commitment to Security Council reform that all States undertook at the 2005 World Summit is yet to be fulfilled, and the prevailing view among the membership continues to be that status quo is not acceptable.

My personal commitment to the goal of Security Council reform remains unchanged and I stand ready to guide the membership in their future work. I concur with the view that, in order to move the process forward, the next stage should consist of intergovernmental negotiations.

(*Signed*) Haya Rashed **Al Khalifa**

# Annex IV

## Report on the consultations regarding the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council

## I. Introduction

1. On 22 May 2007, the President of the General Assembly appointed Mr. Heraldo Muñoz, the Permanent Representative of Chile and Mr. Christian Wenaweser, the Permanent Representative of Liechtenstein (hereinafter referred to as "the authors"), to conduct consultations with the membership on how to move the process forward, in formats they deem useful. The President asked the two Permanent Representatives to use the report of the five facilitators of 19 April 2007 (see annex II) as the basis for those consultations and to report back on the outcome before the end of June 2007.

2. Moreover, in view of their significant contribution to the deliberations on Security Council reform, the President of the General Assembly asked the facilitators appointed on 8 February 2007 to continue to advise her on this important matter.

## II. Background

3. The present report is submitted in accordance with the mandate contained in the above-mentioned letter of 22 May 2007. In keeping with this mandate, and building upon the momentum created by the report of the five facilitators, the authors of the present report have conducted inclusive and extensive consultations. In this context, they approached existing groups — those that have taken a position on Security Council reform in the past as well as others — and thus reached out to the membership in the course of their consultations. In addition, they also held numerous bilateral talks.

4. The authors of the report also benefited from the views offered during the informal plenary meetings held on 3 and 4 May 2007 and from the insight provided by the facilitators advising the President of the General Assembly.

5. Throughout this most recent stage of consultations, many Member States have reiterated that Security Council reform is an integral part of the ongoing United Nations reform process and that United Nations reform would be incomplete without a meaningful reform of the Council. In this regard, the status quo is not acceptable to an overwhelming majority of Member States. There is thus a continued strong commitment to Security Council reform in accordance with paragraphs 152 to 154 of the outcome document of September 2005 (resolution 60/1).

6. Furthermore, Member States underscored that to move forward on Security Council reform, flexibility had to be effectively shown and shared by all concerned. Such flexibility would imply a concrete commitment to find the widest possible political agreement.

7. Both in the report of the facilitators and in the informal plenary meetings it was made clear that those who have taken distinct positions on Security Council reform in the past still maintain those positions. This report is thus without prejudice to positions expressed by Member States in the past and in particular to the proposals on Security Council reform submitted in the past by the Group of Four (G-4) (A/59/L.64), the "Uniting for consensus group" (A/59/L.68) and the African Group (A/59/L.67). The same applies to the proposal submitted by Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland (S-5), which dealt exclusively with the working methods of the Council (A/60/L.49).

8. The consultations have reaffirmed that at this stage of the process, the positions of the major interest groups from the past are unlikely to be fully realized. Therefore, as stated in the report of the five facilitators, under the present state of affairs, Member States, including those supporting the above-cited draft resolutions, while retaining their initial positions, may be open to explore further a transitional approach to Security Council reform. At present, there is considerable interest in and openness to the transitional or intermediary approach; nevertheless, a deeper understanding is needed to advance the process. This report is intended to assist in such a possible exploration.

## III. The intermediary approach

9. The positions taken in the past have revealed stark differences of opinion on a number of issues such as size of an enlarged Security Council, the veto and on whether new permanent seats should be created. The intermediary approach, as outlined in the report of the five facilitators, is intended to reconcile those positions to the extent possible and is therefore, by definition, a compromise. At the same time, it is not meant to reflect a lowest common denominator, but rather a possible solution that is at the same time politically sustainable and framed in a manner that is flexible enough to allow the membership to take further reform steps in the future. It is clear that the goal of any proposal on Security Council reform should be to find the formula that garners the strongest possible agreement of the membership, preferably expressed through support exceeding the legally required two-thirds majority, thus facilitating an early entry into force of the necessary Charter amendments.

10. Such a solid political majority will have to take into account the interests and concerns of all major interest groups and States, including of those which do not fully subscribe to any of the proposals submitted in the past. This includes small States which emphasize their particular interest in the issue of working methods, in particular the aspect of access to information and decision-making within the Council, to which those which have an item inscribed on the Council's agenda also attach particular importance, as well as enhancing their possibility of serving on the Council.

11. A transitional approach assumes an interim arrangement and should have as an integral component a mandatory review to take place at a predetermined date to review and assess the adequacy of this arrangement. Issues on which Member States will not agree in the negotiations would have to be deferred to the review.

# IV. Notions for discussion

12. In paragraph 8 of the report of the five facilitators, it states that: "Member States ... may wish to explore new and emerging ideas concerning a transitional approach to Security Council reform". It goes on to say that "within the transitional approach there are different options and variations that Member States may wish to further explore". The following notions are intended to assist Member States in such a further exploration of a transitional approach, if they so wish.

**Size and categories of membership**

13. The size of an expanded Security Council depends on striking an adequate balance between the general satisfaction about the geographical representation of the Council, in particular in terms of the representation of developing countries and of small States, and the desire to maintain its efficient functioning. In their consideration of the size of the Council, States may want to examine the linkages between the size and the scope of the review clause and to address the issue of access of States that are not members of the Council to its decision-making process in the context of the discussions concerning the improvement of the working methods.

14. The intermediary approach entails the creation of a category of membership not currently provided for under the Charter. Within the intermediary or transitional approach, Member States may wish to consider, inter alia, creating extended seats that could be allocated for the full duration of the intermediary arrangement, up to the review; extended seats for a longer period than the existing non-permanent seats with the possibility of re-election; or extended seats for a longer term than the existing non-permanent seats but without the possibility of re-election.

15. Any of these options can be combined with enlargement in the regular non-permanent category, in accordance with Article 23.2 of the Charter.

16. The options in size range from a limited to a large expansion, a decision that could be adopted either in one step or in stages — that is, a given number at first and a further expansion in the review.

17. The length of time for which the seats would be extended would have to be considered together with their re-election modalities, as appropriate, and the geographic distribution of the new seats. This constitutes an essential negotiable issue and is also tied to the review.

**Elections of new members**

18. Member States may wish to consider the modalities for electing members in the new category of seats. While such elections would have to be held in accordance with the relevant provisions of the Charter, States may want to consider whether the elections for additional seats and the regular two-year seats should take place simultaneously. Furthermore, Member States may wish to add a provision that would prevent countries from presenting candidatures for both the new category and the traditional non-permanent category at the same time or within short intervals.

**Veto**

19. Within the intermediary approach, States may want to examine the question of rules concerning the exercise of the veto, including forms of limitation of its use, possibly in the framework of a decision on working methods. Given that none of the options under the intermediary approach entail the creation of new vetoes, this possibility would, under any of the options, be left for consideration in the course of a review. The use of the veto is linked to the issue of working methods and to categories of membership and the review.

**Regional representation**

20. As regards regional representation, States may wish to reflect on the notions presented in the report of the five facilitators in their possible further consideration of an intermediary approach. This issue is linked, in particular, to the question of size and composition.

**Review**

21. A review clause may open the way to take further reform steps in the future. Within an intermediary approach, special weight must be given to a review clause. Such a review must be mandatory and take place after a specified number of years following the entry into force of Charter amendments related to Security Council reform. It is also indispensable that the scope of the review be clearly defined.

22. While the review plays a central role in the consideration of an intermediary approach, further changes to any aspect of the composition of the Security Council will require a separate decision by the General Assembly on a further amendment of the Charter and a separate ratification process.

23. The central role of a review clause is linked to all other aspects of Security Council reform, and in particular to those aspects on which Member States will not agree in negotiations. These might include the question of the creation of permanent seats, including the question of the veto, the creation of additional non-permanent seats in accordance with Article 23, paragraph 2, of the Charter and the further consideration of arrangements regarding the use of non-concurring votes by permanent members of the Council in accordance with Article 27, paragraph 3, of the Charter. The review should also entail undertaking a comprehensive reassessment of the Council, including its composition and working methods.

**Working methods**

24. There is general agreement on the great importance of working methods. Enlargement and working methods need to be dealt with in a comprehensive manner, and reform would be incomplete without either one. The complementary nature of the two areas of Security Council reform is generally recognized, within which the possibility of advancing independently on the two aspects is also put forward. The different nature of the two aspects of reform, with only enlargement requiring a Charter amendment, has to be taken into account in this regard. The issue of working methods is linked to the review, the veto and the size of an enlarged Council, in particular through enhancing the access of non-members to the decision-making process of the Council.

## V. Future steps

25. A large number of Member States expressed the view that the President of the General Assembly has established favourable conditions for the advancement of a process of negotiations among Member States. Delegations expressed the view that instead of further consultations, the next stage should consist of negotiations.

26. While the continued leadership of the President of the General Assembly will be essential, substantive input from Member States will be indispensable in order to take the discussions to the next stage, that is, intergovernmental negotiations, with a view to continuing to move forward, so as to achieve further concrete steps at the sixty-second session of the General Assembly.

27. Future negotiations would need to be conducted on the basis of a text containing concrete elements on all the negotiables identified in the present report. Member States should have primary ownership of such a process.

28. This report is intended to enable tangible progress through which Security Council reform can be brought to a next stage that could include, in concrete terms, an agreement on an intergovernmental negotiating process as the only way to move forward.

29. Flexibility must be effectively shown and shared by all concerned in a process that would need to continue to be all-inclusive and transparent. There have been years of discussions, without substantial results. The time has come to bring the process closer to decision-making. It is therefore important that the current momentum be maintained in order to develop a common understanding conducive to the attainment of Security Council reform.

30. This report represents a genuine effort of the two authors to fulfil the mandate given to them by the President of the General Assembly in her letter of 22 May. It thus brings to an end their work under this mandate.

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